

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JEFFREY A. DAMON,

Plaintiff

CIVIL ACTION NO. 3:19-1128

v.

(JUDGE MANNION)

N.P.S. ENERGY SERVICES, INC.,

Defendant

ORDER

In light of the memorandum issued this same day, **IT IS HEREBY**

ORDERED THAT:

- (1) The report and recommendation of Judge Mehalchick, (**Doc. 14**), is **ADOPTED IN ITS ENTIRETY**;
- (2) The plaintiff's second amended complaint, (**Doc. 11**), is **DISMISSED WITH PREJUDICE**, pursuant to 28 U.S.C. §1915(e)(2)(B);
- (3) The plaintiff is **DENIED** leave to file a third amended complaint based on futility; and
- (4) The clerk of court is directed to **CLOSE** this case.

s/ Malachy E. Mannion

MALACHY E. MANNION
United States District Judge

Dated: May 27, 2021

19-1128-01-ORDER